



# PUBLIC NOTICE

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## WIRELINE COMPETITION BUREAU ANNOUNCES THAT THE CONSUMER DISCLOSURE AND WAIVER RULES ADOPTED IN THE *2021 ICS ORDER* ARE NOW EFFECTIVE

### WC Docket No. 12-375

By this Public Notice, the Wireline Competition Bureau (Bureau) announces that the Office of Management and Budget (OMB) has approved the new information collection requirements adopted in the *2021 ICS Order* and that those requirements are now effective.<sup>1</sup>

In the *2021 ICS Order*, the Commission adopted certain rules that required approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA). The Commission stated that these rules—section 64.6110, which governs the disclosure of certain rate-related information to consumers of inmate calling services (ICS)<sup>2</sup> and section 64.6120, which sets forth requirements for request for waiver of the Commission’s caps on interstate and international rates and ancillary services charges—would become effective after publication of a notice in the *Federal Register* announcing OMB approval and establishing the relevant effective date.<sup>3</sup> The information collection was submitted to OMB for review under the PRA and was approved by OMB on January 24, 2022.<sup>4</sup> On February 11, 2022, the *Federal Register* published a notice announcing OMB’s approval and establishing an effective date of February 11, 2022.<sup>5</sup> Accordingly, the consumer disclosure and waiver request rules adopted in the *2021 ICS Order* are now effective.

We note that the rules adopted in the *2021 ICS Order* that did not require OMB approval under the PRA became effective October 26, 2021, 90 days after publication of the *2021 ICS Order* in the *Federal Register*.<sup>6</sup> These rules include the lower interim rate caps for interstate calls, new interim rate

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<sup>1</sup> *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Third Report and Order, Order on Reconsideration, and Fifth Further Notice of Proposed Rulemaking, 36 FCC Rcd 9519 (2021) (*2021 ICS Order*); Federal Communications Commission, *Rates for Interstate Inmate Calling Services*, 86 Fed. Reg. 7955 (Feb. 11, 2022) (*ICS Effective Date Notice*).

<sup>2</sup> Specifically, the Commission required that providers disclose as separate line items on any consumer bills the site commission charges in connection with the consumer’s calls as well as whether the provider’s obligation to pay site commissions is mandated by a state statute, law, or regulation, among other information.

<sup>3</sup> See *2021 ICS Order*, 36 FCC Rcd at 9681, para. 377.

<sup>4</sup> See Notice of Office of Management and Budget Action for OMB Control No. 3060-1222 (approved Jan. 24, 2022).

<sup>5</sup> See *ICS Effective Date Notice*, 86 Fed. Reg. at 7955.

<sup>6</sup> Federal Communications Commission, *Rates for Interstate Inmate Calling Services*, 86 Fed. Reg. 40682 (July 28, 2021).

caps for international calls, and a rate cap structure that requires ICS providers to differentiate between legally-mandated and contractually-prescribed site commissions.

For additional information regarding this matter, contact Amy Goodman, Pricing Policy Division, Wireline Competition Bureau, (202) 418-1549, or email [Amy.Goodman@fcc.gov](mailto:Amy.Goodman@fcc.gov).

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